

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ARCELORMITTAL PLATE LLC, <i>et al.</i> ,)	
<i>Plaintiffs,</i>)	Case No. 19-13527-LVP-APP
v.)	
LAPEER INDUSTRIES, INC., <i>et al.</i> ,)	Hon. Linda V. Parker
<i>Defendants.</i>)	
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HOWMARK, LLC,)	Mag. Anthony P. Patti
<i>Third-Party Plaintiffs,</i>)	
v.)	
DANIEL SCHREIBER, et al.,)	
<i>Third-Party Defendants.</i>)	

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JOINT STIPULATION OF DISMISSAL PURSUANT TO RULE 41(a)(2)

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs ArcelorMittal Plate LLC and ArcelorMittal USA, LLC (collectively, “ArcelorMittal”), Defendants S&S Holdings, LLC (“S&S”), Brentwood Advisory Group, LLC (“Brentwood”), Howmark, LLC (“Howmark”), Third-Party Defendants Daniel Schreiber and Daniel C. Schreiber Revocable Trust dated 4/11/01 (collectively “Schreiber,” and together with ArcelorMittal, S&S, Brentwood, and Howmark, the “Settling Parties”) and Defendant (former bankruptcy Debtor) Lapeer Industries, Inc. (“Lapeer”)¹ jointly file this stipulation requesting that this Court enter an order dismissing the remaining claims² between or among Settling Parties in their entirety, including all of

¹ Lapeer’s bankruptcy case has been dismissed and has no assets. (*See* 5/6/2021 Minute Entry (dismissing case) (E.D. Mich. Bankr., Case No. 20-48744-mlo).)

² ArcelorMittal’s claims against Howmark were dismissed on May 5, 2021. (ECF No. 121.)

ArcelorMittal's claims against Defendants S&S, and Brentwood, respectively, as well as Howmark's claims against Third-Party Defendants Schreiber, with prejudice. The Settling Parties have resolved their differences and entered into a settlement agreement. The Settling Parties request that the Court retain jurisdiction to enforce the terms of the Settling Parties' settlement agreement.

Further, ArcelorMittal and Lapeer stipulate to a voluntary dismissal of ArcelorMittal's claims against Lapeer raised in the First Amended Complaint (ECF No. 18) WITHOUT PREJUDICE.

The Parties have further agreed to bear their own costs and fees.

ArcelorMittal withdraws its Motion to Dismiss and for Order of Dismissal (ECF No. 122).

WHEREAS, ArcelorMittal, Defendants Lapeer, S&S, Brentwood, Howmark and Third-Party Defendants Schreiber hereby stipulate to the Court's entry of the Order of Dismissal, submitted with this stipulation.

Dated: June 11, 2021

s/ Ashleigh J. Morpeau

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s/ Rita M. Lauer (with consent)

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s/ Andrew J. Kolozsvary (with
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Howmark, LLC*

ORDER OF DISMISSAL

Plaintiffs ArcelorMittal Plate LLC (“ArcelorMittal Plate”) and ArcelorMittal USA LLC (“ArcelorMittal USA”) (collectively “ArcelorMittal”), Defendants S&S Holdings, LLC (“S&S”), Brentwood Advisory Group, LLC (“Brentwood”), Howmark, LLC (“Howmark”), Third-Party Defendants Daniel Schreiber and Daniel C. Schreiber Revocable Trust dated 4/11/01 (collectively “Schreiber,” and together with ArcelorMittal, S&S, Brentwood, and Howmark, the “Settling Parties”) and Defendant (former bankruptcy debtor) Lapeer Industries, Inc. (“Lapeer”) have filed a Joint Stipulation for Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2). The Court having examined the Stipulation finds that ArcelorMittal wishes to voluntarily dismissed its claims against Lapeer raised in the First Amended Complaint (ECF No. 18) WITHOUT PREJUDICE. The Court finds that all issues raised in the First Amended Complaint (ECF No. 18) by ArcelorMittal and against

Brentwood, S&S and Howmark, respectively, have been resolved. The Court further finds that all the issues raised in the Third-Party Complaint (ECF No. 35) between Howmark and Schreiber have been resolved; accordingly,

It is ORDERED that:

1. ArcelorMittal's claims against Brentwood and S&S, respectively, are dismissed with prejudice;
2. Howmark's claims against Schreiber are dismissed with prejudice;
3. The Court retains jurisdiction to enforce the terms of the Settling Parties' settlement agreement;
4. ArcelorMittal's claims against Lapeer are dismissed WITHOUT PREJUDICE;
5. Each of the Parties will bear their respective costs and fees; and
6. ArcelorMittal's Motion to Dismiss and for Order of Dismissal (ECF No. 122) is withdrawn.

IT IS SO ORDERED.

s/ Linda V. Parker

LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: June 11, 2021

CERTIFICATE OF SERVICE

I hereby certify that, on June 11, 2021, copies of the foregoing Joint Stipulation of Dismissal Pursuant to Rule 41(a)(2) and Order of Dismissal was filed electronically. Notice of this filing will be sent to all counsels of record by operation of the Court's electronic filing system. The parties may access this filing through the Court's system.

Respectfully submitted,

/s/ Ashleigh J. Morpeau

Ashleigh J. Morpeau

*One of the Attorneys for Plaintiffs
ArcelorMittal Plate LLC and
ArcelorMittal USA LLC*